

**REGULAR MEETING
BOARD OF ADJUSTMENT
EILEEN DONDERO FOLEY COUNCIL CHAMBERS
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE**

7:00 P.M.

AUGUST 18, 2015

AGENDA

I. APPROVAL OF MINUTES

A) July 21, 2015

B) July 28, 2015

II. REQUEST FOR EXTENSION

A) Request for Extension for property located at 324 Parrott Avenue.

III. PUBLIC HEARINGS - OLD BUSINESS

A) Case # 7-13

Petitioner: Jillian Mirandi

Property: 19 Woodbury Avenue

Assessor Plan 162 Lot 65

Zoning District: General Residence A

Description: Replace front entry.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.521 to allow a front yard setback of 2' 10" +/- where 15' is the minimum required and a building coverage of 29.6% where 25% is the maximum allowed.

A request for setback relief for a shed was heard and granted at the July 28, 2015 meeting. The above request was postponed to this meeting.

B) Case # 7-7

Petitioner: Amba Realty, LLC

Property: 806 Route 1 By-Pass

Assessor Plan 161, Lot 43

Zoning District: Business

Description: Expand first floor to 5,150 sq. ft. of retail space and construct second floor for office space.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following: (over)

1. A Variance from Section 10.1113.20 to allow 9 parking spaces to be located within the required front yard and between the principal building and the street;
2. A Variance from Section 10.1112.30 to allow 26 fully available parking spaces and 2 restricted parking spaces where 28 are required and to allow parking 6.5’ from a residential zone where 50’ is required.
3. A Variance from Section 10.1113.41 to allow parking 0’ from the front lot line where 20’ is required;
4. A Variance from Section 10.1113.43 to not provide landscaping and screening within the front setback.

C) Case # 7-8

Petitioner: Moray, LLC and 215 Commerce Way, LLC

Property: 215 & 235 Commerce Way

Assessor Plan 216, Lots 1-8A & 1-8B

Zoning District: Office Research

Description: Provide parking, on a corner lot, located between the street and the building.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.1113.20 to allow off-street parking spaces to be located in a front yard between a principal building and the street.

D) Case # 7-9

Petitioner: Barbara R. Frankel

Property: 89 Brewery Lane

Assessor Plan 146, Lot 26

Zoning District: Mixed Residential Business

Description: Remove existing structure and construct 2-story assisted-living home with a 3,450 sq. ft. footprint.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Special Exception from Section 10.440 to allow an assisted living home.
2. A Variance from Section 10.512 to allow 30’ of street frontage where a minimum of 100’ is required.

E) Case # 7-10

Petitioner: Strawberry Banke Inc.

Property: 14 Hancock Street (Strawberry Banke)

Assessor Plan 104, Lot 7

Zoning District: Mixed Residential Office

Description: Clarification/modification of previous approval for operation of the skating pond.

Requests: Clarification/modification of the time period for use of the skating pond from November 1st to March 31st each year. (next page)

- F) Case # 7-11
 Petitioner: Merton Alan Investments, LLC
 Property: 30 Cate Street
 Assessor Plan 165, Lot 1
 Zoning District: Industrial
 Description: Clarification of previous approval for construction of an office building.
 Requests: Clarification that the setback relief granted included the 15.4' front setback resulting from the City's future reconfiguration of Cate St.
- G) Case # 7-12
 Petitioner: New England Glory, LLC
 Property: 525 Maplewood Avenue
 Assessor Plan 209 Lot 85
 Zoning District: General Residence A
 Description: Creation of two lots where one currently exists.
 Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
 1. A Variance from Section 10.521 to allow a lot area per dwelling unit of 3,755 sq. ft. where 7,500 sq. ft. is the minimum required.

IV. PUBLIC HEARINGS – NEW BUSINESS

- 1) Case # 8-1
 Petitioners: Cherry Ventures LLC, owner, Mary Louise Brozena & Cheryl Kenney, applicants
 Property: 64 Pine Street
 Assessor Plan 162, Lot 24
 Zoning District: General Residence A
 Description: Rebuild home on non-conforming foundation.
 Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
 1. A Variance from Section 10.321 to allow a lawful nonconforming building or structure to be extended, reconstructed or structurally altered except in conformance with the Ordinance.
 2. A Variance from 10.516.10 to allow a 0'± front yard setback where 6' is required.
 3. A Variance from Section 10.521 to allow a 0'± left side yard setback where 10' is the minimum required.
- 2) Case # 8-2
 Petitioners: 2422 Lafayette Road Assoc LLC
 Property: 2454 Lafayette Road
 Assessor Plan 273, Lot 3
 Zoning District: Gateway
 Description: Allow a parking area between a principal building and a street.
 Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following: (over)

1. A Variance from Section 10.1113.20 to allow required off-street parking spaces to be located in a required front yard or between a principal building and a street.
 2. A Variance from Section 10.734.20 to allow a front yard setback of 151'± where 90' is the maximum allowed.
- 3) Case # 8-3
- Petitioners: Thomas E., Marybeth B., James B. & Meegan C. Reis
Property: 305 Peverly Hill Road
Assessor Plan 255, Lot 5
Zoning District: Single Residence B & NRP
Description: Construct a second free-standing dwelling on a lot.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.513 to allow a second free-standing dwelling on a lot where a second free-standing dwelling is not allowed in this district.

V. OTHER BUSINESS

VI. ADJOURNMENT

NOTICE TO MEMBERS OF THE PUBLIC WHO ARE HEARING IMPAIRED

If you need assistance to attend a meeting, please contact the Human Resources Department at 610-7274.